IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 7TH DAY OF OCTOBER 2005/15TH ASWINA, 1927.

OP.No. 13241 of 2003 (B)

PETITIONERS:

1. ALL INDIA RETIRED BANK EMPLOYEES' ASSOCIATION,
   REPRESENTED BY ITS SECRETARY,
   SRI. VINCENT THOMAS, P.B. No.157,
   S.B.T. EMPLOYEES UNION BUILDINGS,
   THIRUVANANTHAPURAM.

2. A.C. JOSEPH,
   T.C. 13/217,
   STENOGRAPHER (RETIRED) SBT, AETTUVALLIL,
   KUNNUKUZHY, THIRUVANANTHAPURAM-37.

3. K.U. VARKEY,
   HEAD CASHIER (RETIRED) SBT,
   HOUSE No.39/2543, CHURCH LANDING ROAD,
   NEAR KERALA FINE ARTS HALL, ERNAKULAM.

BY ADV. SRI. V. RAJENDRAN

RESPONDENTS:

1. UNION OF INDIA,
   REPRESENTED BY THE SECRETARY,
   MINISTRY OF FINANCE, DEPARTMENT OF ECONOMIC AFFAIRS,
   BANKING DIVISION, NEW DELHI.

2. INDIAN BANKS ASSOCIATION,
   REPRESENTED BY ITS SECRETARY,
   STADIUM HOUSE, 6TH FLOOR, BLOCK-3, VEER NARIMAN ROAD,
   MUMBAI-4000020.

R1 BY ADV. SRI.JAYA PRADEEP. V.,(ACGSC)
R2 BY ADV. SRI.P.G.PARAMESWARA PANICKER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 07-10-2005, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

pmn

KURIAN JOSEPH, J.

O.P No. 13241/ 2003

DATED THIS THE 7th DAY OF OCTOBER, 2005

J U D G M E N T

The original petition is filed with the following prayers:-

(a) direct the respondents by the issue of a writ in the nature of mandamus or other appropriate writ, order or direction to adopt the uniform formula for computation of Dearness Allowance and Dearness Relief.

(b) to issue a writ in the nature of mandamus or other appropriate writ, order or direction directing the respondents to remove the anomalies in the pension scheme after hearing the pensioners or their representatives.

(c) issue a writ in the nature of mandamus or other appropriate writ, order or direction to the respondents directing them to ensure that every revision of pay of inservice employees should be followed by a proportionate hike in the pensionary benefits as well.

(d) direct respondents by the issue of a writ in the nature of mandamus or other appropriate writ, order or direction to consider Ext.P2 representation of the petitioner in accordance with law and to issue directions to 2nd respondent to take appropriate actions to remove the anomalies in the pension schemes.

2. Though learned counsel for the petitioners made an extensive reference to the pathetic plight of the pensioners in view of the fact that the representation is pending before the first respondent, it is for the first respondent to take appropriate action in the matter after hearing all the parties. Hence the original petition is disposed of directing the first respondent to look into Ext.P2 with notice to the first petitioner, second respondent and any other affected parties. Appropriate action in accordance with law and justice in the matter shall be taken within a period of four months from the date of production of a copy of this judgment.

(Sd/-)
(KURIAN JOSEPH)
Judge

pmn/